

# Elliott Greenleaf

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January 9, 2018

**Via Email**

Magistrate Judge Martin C. Carlson  
Ronald Reagan Federal Bldg. & U.S. Courthouse  
228 Walnut Street  
Harrisburg, PA 17108-0983  
magistrate\_judge\_carlson@pamd.uscourts.gov

Re: *Julie Ellen Wartluft f/k/a Julie Ellen Bartels and Frederick L. Bartels, Jr., Individually and as Administrators of the Estate of Abrielle Kira Bartels, Deceased v. Milton Hershey School, et al.*  
Civil Action No. 1:16-cv-2145-CCC (M.D. Pa.)

Dear Judge Carlson:

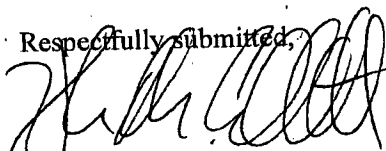
We represent Defendants in the above-referenced action. Plaintiffs have identified Katrina Rohlf as one of their Federal Rule of Civil Procedure 26(a)(1) witnesses. Accordingly, on or about September 29, 2017, Defendants served her with a Subpoena to Testify at a Civil Action, scheduling her deposition for October 16, 2017. *See* (Exs. "1-4.") Although she was served and cashed her witness fee check, Ms. Rohlf failed to appear for her deposition. (Ex. "5") (Oct. 16, 2017, Dep. Trans.)

On October 20, 2017, Defendants sent Ms. Rohlf correspondence requesting that she appear for her deposition on October 23, 2017. (Ex. "6".) While she again failed to appear for her deposition on October 23, 2017, her mother, Christine Rohlf, did appear to be deposed in accordance with a separate deposition subpoena, and confirmed that her daughter received the Subpoena to Testify at a Civil Action.

On October 31, 2017, Defendants sent Ms. Rohlf another letter seeking her compliance with the Subpoena. (Ex. "7".) In response to this letter, she contacted the undersigned's administrative assistant, and stated that she would not appear for her deposition.

Defendants have engaged in a good faith effort to obtain compliance with the Subpoena. Accordingly, we respectfully request that the Court enter the attached proposed Order directing Ms. Rohlf to appear for her deposition. We are, if necessary, available to discuss the proposed Order at the Court's convenience. Thank you for your timely consideration.

Respectfully submitted,



Kyle M. Elliott

KME/gec  
Enclosures

(via email)  
cc: Jarad W. Handelman, Esquire  
Gregory F. Cirillo, Esquire  
John J. Higson, Esquire  
Kevin J. Neary  
Katrina Rohlf (via federal express)